
IN THE SUPREME COURT OF THE STATE OF MONTANA

Cause No.: DA 09-0510

STATE OF MONTANA, *ex rel.*
DEPARTMENT OF ENVIRONMENTAL QUALITY,

PLAINTIFF/APPELLANT,

v.

BNSF RAILWAY COMPANY,

DEFENDANT/APPELLEE/CROSS-APPELLANT.

FILED

MAR 16 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

**NOTICE OF FILING JUDGMENTS/ORDERS FOR INCLUSION IN
APPELLANT'S BRIEF**

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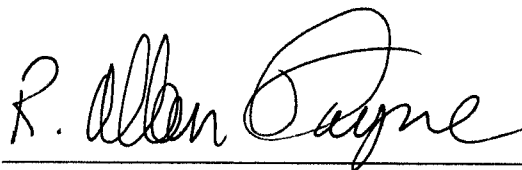
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On Appeal from the First Judicial District Court, Lewis and Clark County
The Honorable Jeffrey M. Sherlock, Presiding
District Court Cause No. BDV 2004-596

PLEASE TAKE NOTICE that pursuant to this Court's Order dated March 15, 2010 and M.R.App.P. 12 (1)(h), Plaintiff/Appellant State of Montana, *ex rel.* Department of Environmental Quality, files the following Judgments/Orders for inclusion in Appellant's Brief:

- November 5, 2007 Order on Various Motions
- February 10, 2009 Findings of Fact, Conclusions of Law, and Order
- August 13, 2009 Final Unified Abatement Order

DATED this 16th day of March, 2010.

A handwritten signature in black ink, reading "R. Allan Payne". The signature is written in a cursive, flowing style. The first name "R." is followed by "Allan" and "Payne". The signature is positioned above a horizontal line.

R. Allan Payne

Attorney for Appellant

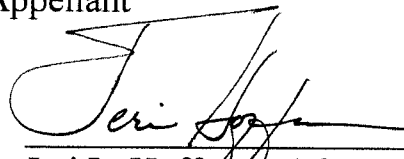
CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of March, 2010, a true and correct copy of the foregoing ***NOTICE OF FILING JUDGMENTS/ORDERS*** ***FOR INCLUSION IN APPELLANT'S BRIEF*** was duly served, via Hand Delivery or First Class U.S. Mail, postage prepaid (as noted below), on the attorneys of record addressed as follows:

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